

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Crim. No. 19-CR-104(3) (JNE/TNL)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	ORDER FOR
)	DETENTION
v.)	
)	
MASON PAUL STUHLBREHER,)	
)	
Defendant.)	

On Thursday, April 18, 2019, agents brought Defendant Mason Paul Stuhldreher (“Defendant”) for an initial appearance, following his recent arrest pursuant to a warrant issued after the Grand Jury charged him by indictment earlier in April 2019. Defendant stands accused of conspiracy to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a), 841(b)(1)(A) and 846 (Count 1), as well as possession with the intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a) and 841(b)(1)(A) (Count 3). Because both Counts allege a Controlled Substance Act offense for which a maximum term of ten years or more is prescribed, they each carries with them a rebuttable presumption that no condition or combination of conditions will reasonably assure Defendant’s appearance as required. *See* 18 U.S.C. § 3142(e)(3)(A).

During the April 17, 2019, hearing, the Government moved for continued detention pursuant to 18 U.S.C. § 3142 *et seq.* Defendant was placed in the custody of the United States Marshal's Service, and the matter was continued for contested proceedings on April 24, 2019.

At an April 24, 2019, arraignment and detention hearing, Defendant was present and represented by Thomas Braun, Esq. The Government was represented by Allen Slaughter, Assistant United States Attorney. The Government reiterated its prior motion for continued detention pursuant to 18 U.S.C. § 3142 *et seq.* and indicated it was prepared to offer evidence in the form of testimony in support of its motion.

Meanwhile, Defendant through his counsel identified the fact that there is separately an active warrant for detainer placed upon him by local authorities. Through his counsel, Defendant had a colloquy with the Court, indicated that the issue of detention may be moot in light of said detainer, and that Defendant was waiving the issue of detention. The Court finds that Defendant knowingly and voluntarily waived his right to a hearing on detention.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Based on the record before it, the Court finds that no condition or combination of conditions will reasonably assure Defendant's appearance at court proceedings or community safety.

2. The information within the bail report provides sufficient facts to demonstrate that Defendant's release on conditions at this time would not assure continued appearance at court proceedings or community safety. The bail report indicates Defendant has a noteworthy prior criminal history, to include multiple arrests, felony drug convictions, and several events demonstrating an inability to comply with court release conditions. Meanwhile, the Court turns to the facts in the present Indictment. Defendant's alleged offense conduct includes distribution of and possessing with intent to distribute a noteworthy amount of methamphetamine, for which he faces a significant sanction if convicted.

3. Given Defendant's waiver, no facts before this Court at this time rebut the presumption that no combination of conditions will reasonably assure Defendant's appearance as required or community safety.

4. Consequently, the Court concludes that detention is appropriate pursuant to 18 U.S.C. § 3141 *et seq.*

For the foregoing reasons,

IT IS HEREBY ORDERED that:

1. Pursuant to Rule 5.1(e) of the Federal Rules of Criminal Procedure, Defendant is required to appear for further proceedings;

2. Defendant is remanded to the custody of the United States Marshal until his next appearance in Federal Court;

3. Defendant shall be afforded reasonable opportunity to consult privately with his lawyers; and

4. Upon order of the Court or request by the United States Attorney, the person in charge of the correctional facility in which is confined shall deliver him to the United States Marshal for the purpose of appearance in connection with all court proceedings.

Dated: April 26, 2019

s/Steven E. Rau
STEVEN E. RAU
United States Magistrate Judge